

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

JAMES GIBSON,

Plaintiff,

v.

CITY OF CHICAGO, a municipal corporation and former Chicago Police Officers ANTHONY MASLANKA, WILLIAM MOSER, JOHN E. BYRNE, LOUIS CAESAR, JOHN PALADINO, HENRY J. LEJA, JEROME RUSNAK, VICTOR BRESKA, SUSAN MCCANN as Special Representative for ESTATE OF JOHN MCCANN, PHIL COLLINS as Special Representative for ESTATE OF PHILLIP COLLINS, PAM O'MARA as Special Representative for ESTATE OF JOHN OMARA and ESTATE OF JON BURGE,

Defendants.

No.: 1:19-cv-04152

Hon. Jeffrey I. Cummings

Hon. M David Weisman

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**PLAINTIFF'S OPPOSITION TO JOEL A. BRODSKY'S MOTION TO LIFT STAY**

Plaintiff James Gibson, by and through his attorneys, respectfully submits this opposition to Joel A. Brodsky's Motion to Lift Stay (Dkt. No. 646). In support, Plaintiff states:

1. Mr. Brodsky represented Mr. Gibson in proceedings before the Torture Inquiry Relief Commission ("TIRC") and Illinois state court. Mr. Brodsky has received compensation from the State of Illinois in the Court of Claims for this work on Mr. Gibson's case.

2. The initial complaint in this civil lawsuit was filed on May 10, 2019 in state court. Mr. Brodsky's law license was suspended the following month on June 19, 2019. According to the Attorney Registration and Disciplinary Committee, Mr. Brodsky is still suspended from the Illinois Bar and his law license has not been reinstated. Mr. Gibson's civil case was removed

from the Circuit Court of Cook County to the United States District Court for the Northern District of Illinois on June 20, 2019.

3. Mr. Brodsky moved to intervene in this case on April 30, 2021, seeking compensation from Mr. Gibson on a *quantum meruit* basis for legal services rendered prior to June 19, 2019 (Dkt. No. 169).

4. On August 3, 2021, the Court granted Mr. Brodsky's motion for leave to intervene (Dkt. No. 197). However, "to ensure that proceedings related to Brodsky's claim do not interfere with resolution of the underlying claims," the Court stayed all proceedings related to Mr. Brodsky's intervening complaint "until resolution of the underlying claims in this case."

5. On July 9, 2024, Mr. Brodsky, filed a Motion to Lift Stay (Dkt. 435). On July 26, 2024, the Court denied Mr. Brodsky's Motion to Lift Stay: "as the Court stated in its 8/31/21 order entering the initial stay of Brodsky's intervening claims, a stay until the resolution of the underlying claims in this case are resolved will best ensure that proceedings related to Brodsky's claim to not interfere with the disposition of the merits" (Dkt. 441).

6. In this current Motion to Lift the Stay (Dkt. 646), Mr. Brodsky has failed to identify any substantive change in circumstance that would justify departing from the Court's prior orders. Contrary to Mr. Brodsky's belief, the parties are still working on issues necessary to bring this matter to final resolution, and status hearings are set for May 15, 2025 with Judge Cummings (Dkt. 643) and with Judge Weisman on May 22, 2025 (Dkt. 645). The stay should therefore remain in place.

7. Mr. Gibson has litigated his federal civil rights case for six years and continues to work with his legal team to adjudicate his case. Lifting the stay at this time and allowing Mr. Brodsky's claim to proceed would only further delay resolution of this litigation.

8. Plaintiff's counsel conferred with counsel for the City of Chicago and counsel for the Defendant Officers and they have stated they do not have a position as it relates to Mr. Brodsky's motion.

WHEREFORE, Plaintiff respectfully requests that the Court deny Mr. Brodsky's Motion to Lift Stay.

Date: April 8, 2025

Respectfully Submitted,

/s/ Andrew M. Stroth  
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***Attorneys for Plaintiff***

### **CERTIFICATE OF SERVICE**

I, Andrew M. Stroth, an attorney, hereby certify that on April 8, 2025, I caused the foregoing Plaintiff's Opposition to Joel Brodsky's Motion to Lift Stay to be filed with the Court's CM/ECF system, which simultaneously sent an electronic copy of the same to all counsel of record.

/s/ Andrew M. Stroth  
Andrew M. Stroth